

**CITY COUNCIL
BUSINESS MEETING MINUTES
January 15, 2013**

The Business Meeting of the Monroe City Council was held on January 15, 2013, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:01 p.m.

Councilpersons present: Goering, Cudaback, Williams, Kamp, Davis, Gamble, and Hanford.

Staff present: Brazel, Feilberg, Warthan, Nelson, Bremner, Quenzer, Simonson, Ginnard, Sax, Popelka, and Martinson.

Student Representative Harano was present.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

ANNOUNCEMENTS & PRESENTATIONS

1. Police Awards

Chief Quenzer announced and presented the various awards to the following Police personnel:

Letter of Recognition:

Sgt. Derrel Johnson and Officer Scott Richey – Were recognized for their assistance in an arrest that solved 23 cases of car prowls, criminal trespass, and stolen property. They were instrumental in ensuring that these cases will be prosecuted.

Sgt. Cindy Chessie – Was recognized for exemplary service in child safety and providing training in risk factors. She also identified funding for a program to provide safe cribs for babies.

Officer Nathan Erdmann – Was recognized for his excellent work in an arrest in multiple burglaries in King to Snohomish counties. Due to his work on the case, many stolen items were recovered and returned to owners.

Sgt. Rick Dunn and Sgt. Brian Johnston – Were recognized for their management and coordination of a search for a juvenile missing from Fred Meyer. Their quick response and organized plan resulted in the juvenile's safe return to family.

Officer Darryl Stamey – Was recognized for leading the department in the arrests of drivers under the influence of drugs/alcohol. He puts in extra hours on traffic safety emphasis patrols and serves as department liaison to the

Washington State Traffic Safety Council.

Sgt. Steve Clopp, Officers Tim Walker, Jake Eriks, Javier Patton, Sgt. Darryl Stamey, and Officer Jason Southard – Were recognized for their response to the drowning incident in Lake Tye in August 2012. Sgt. Clopp set up a command post and sent Officer Stamey to the family home in Everett. Walker, Eriks, Patton, and Southard remained on the scene to work with witnesses. Stamey was assigned to transport the family to the hospital and stayed with them in Seattle. The officers on the scene worked in an exemplary manner while under stress.

Letter of Commendation:

Officer Jason Southard – Was commended for his response to the drowning incident at Lake Tye park in August 2012. He removed his uniform and entered the water to look for the young man, risking his own safety. He also went to the hospital and stayed with the family.

Distinguished Service Awards:

LaDonna Whalen, Eloisa Rodriguez, and Monica Sandoval were recognized for their exemplary services in Child Safety. They won a grant focusing on child safety in the Latino community. They rearranged their personal schedules to meet with 150 people in the Latino community and also conducted 48 car seat inspections.

Evidence Tech Julie Stuvland – Was recognized for the excellent job she has done since July of 2000. She has done a great job handling the evidence room and assisting in crime scenes. She is recognized by her peers as an expert in her field and is an instructor in evidence collection and preservation.

Lifesaving Award:

Officer James Tolbert – was recognized for his lifesaving efforts when he and Officer Richie found an unresponsive male on June 16th. He initiated CPR and continued until the aide car arrived. His actions made a difference in saving the man's life.

MEETING RECESSED FOR SHORT BREAK: 7:19 p.m.
MEETING RECONVENED INTO REGULAR SESSION: 7:20 p.m.

Mayor Zimmerman reported that Councilpersons Kamp, Goering, and Williams were present for the preview of the EB-5 Program a few weeks ago.

2. Presentation: Regional Center EB-5 Program

Economic Development Manager Sax gave a brief overview explaining basics of the EB-5 program, which allows for a regional center that could bring investors to Monroe. He introduced Jesse Tam, the principle in MPI, and gave his background. Mr. Tam introduced his wife, Lilly, and friends, John Wong

(JP Morgan Chase) and Lisa Fong (who has a company in Hong Kong).

Mr. Tam showed a video about Gateway Bank, a successful EB-5 project in Oakland, CA. He also gave a presentation giving more details on the EB-5 program and the benefits to communities with a regional center.

Manager Sax gave additional information about the plans for the whole city of Monroe becoming a regional center. It is an entity that could name projects that would be eligible for investment. Investments in local businesses will bring new jobs and ensure keeping other jobs in Monroe.

Mayor Zimmerman noted that this could be the fourth leg of the stool we are building to bring more success to Monroe.

Manager Sax stated that they were asking Council to direct staff to go forward and bring back a full development plan for Council's consideration.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Gamble, to direct staff to move forward with program development and bring a fully developed plan back to Council for adoption. On vote,

Motion carried 7/0.

MEETING RECESSED FOR A FOUR (4) MINUTE BREAK: 9:06

MEETING RECONVENED INTO REGULAR SESSION: 9:15

PUBLIC HEARING

1. Interim Ordinance Chapter 18.70 Marijuana Related Uses

Public Works Director Feilberg gave a brief overview explaining the history of the moratorium on marijuana and the interim ordinance allowing marijuana in certain zones, if it can be licensed by the state. No action is needed at this time, if Council prefers. There will be another public hearing in May.

Mayor Zimmerman opened the hearing for public comments.

Joel Phillips 505 Circle Drive, Monroe, feels that the City should not take action on this until the federal laws change.

The motion was made by Councilperson Cudaback and seconded by Councilperson Hanford, to close the public testimony portion of the public hearing. On vote,

Motion carried 7/0.

After discussion, the motion was made by Councilperson Hanford and seconded by Councilperson Davis, to close the public hearing. On vote,

Motion carried 7/0.

Council consensus was to leave the interim ordinance in place and bring it back in May, prior to expiration.

COMMENTS FROM CITIZENS

No citizens wished to address council.

CONSENT AGENDA

Councilperson Gamble asked that Consent Agenda item #2A (Bills) be pulled from the Consent Agenda.

Councilperson Cudaback pulled Consent agenda #4 (Authorize Mayor to Sign 2013 YMCA Youth Skateboarding Camps Agreement). As she works for the YMCA, she recused herself and left chamber at 9:21 p.m.

1. Minutes

A. January 8, 2013 Study Session

2. Accounts Payable & Payroll

B. Payroll: Checks #32120 – 32184, in the amount of \$909, 847.60.

3. Authorize Mayor to Sign 2013 Skyhawks Sports Camps Agreement

4. Authorize Mayor to Sign 2013 YMCA Youth Skateboarding Camps Agreement

The motion was made by Councilperson Hanford and seconded by Councilperson Davis, to approve Consent Agenda items #1, #2B, #3 & #4. On vote,

Motion carried 6/0.

Councilperson Cudaback returned to Council Chambers at 9:23 p.m.

Councilperson Gamble recused himself from voting on Consent Agenda item #2A (Bills), since there is a bill from his employer. He departed Council Chambers at 9:23 p.m.

2. Accounts Payable & Payroll

A. Bills: Checks #83251 – #83288, in the amount of \$697,931.56.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to approve Consent Agenda item #2 (Bills). On vote,

Motion carried 6/0.

Councilperson Gamble returned to Council Chambers at 9:24 p.m.

FINAL ACTION

1. Lift Hiring Freeze and Approve Filling Desktop Support Technician Position

Human Resources Manager Warthan gave a brief introduction explaining that the City currently is using a contract worker in the IT department. After a review by staff, it was determined that the City would save money filling the position with a full-time employee.

After discussion, the motion was made by Councilperson Hanford and seconded by Councilperson Davis, to lift the hiring freeze and approve filling the desk top support technician position. On vote,

Motion carried 7/0.

2. Consideration of Hearing Examiner's Recommendation for Cable Park Shoreline Conditional Use Permit (SLCU201201)

City Attorney Lell explained the scope of Council's jurisdiction and the *Appearance of Fairness Doctrine*. He asked Council if anyone had any bias in this matter, if they had any financial interest in project in question, if any family members had a financial interest in the project, if any Council members lived within 500 feet of the proposed project, and whether there had been any exparte communications. It was noted that no public officials responded in the affirmative.

No citizens offered an *Appearance of Fairness* challenge.

Council was cautioned that they should not consider any other components that were presented to the hearing examiner; only the shoreline conditional use permit component.

Public Works Director Feilberg gave a brief overview explaining the features of the proposed cable wakeboard park. After the hearing in November, the hearing examiner approved the Shoreline Conditional Use Permit, with conditions. If approved by Council, it will be forwarded to the Department of Ecology.

The motion was made by Councilperson Goering and seconded by Councilperson Hanford, to accept the hearing examiner's recommendations and direct staff to create a resolution to forward to department of ecology. On vote,

Motion carried 6/1.

Councilperson Cudaback was opposed.

Director Feilberg presented Council with a resolution in support of the hearing examiner's decision.

The motion was made by Councilperson Kamp and seconded by Councilperson

Hanford, to add the resolution to the agenda for action. On vote,

Motion carried 7/0.

Director Feilberg explained the purpose and key points of the resolution.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Hanford, to approve Resolution #2013/003. The title as read into the record by City Attorney Lell *Resolution 2013/003 A RESOLUTION BY THE MONROE CITY COUNCIL ADOPTING THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATIONS, AND CONDITIONS OF APPROVAL FOR SHORELINE CONDITIONAL USE PERMIT (SLCU2012-01) - H3O DEVELOPMENT.* On vote,

Motion carried 6/1.

Councilperson Cudaback was opposed.

3. Appoint City Representatives to Various Boards, Committees, and Forums

City Administrator Brazel explained that this is the time of year that representatives from the various boards and commissions are selected.

1. **Mayor Tem-Pore:** Councilperson Kamp nominated Councilperson Goering who declined. Councilperson Gamble nominated Councilperson Williams; Councilperson Gamble seconded the nomination. On vote,

Motion carried 7/0.

2. **Community Transit Board of Directors:** After declined nominations, it was determined that this item would be brought back for further discussion.

3. **French Creek Flood Control District Joint Board:** Councilperson Goering nominated Councilperson Williams; Councilperson Cudaback seconded the nomination. On vote,

Motion carried 7/0.

4. **Snohomish County Tomorrow (SCT):** Councilperson Kamp volunteered. The motion was made by Councilperson Goering and seconded by Councilperson Hanford, to appoint Councilperson Kamp to SCT. (Councilperson Goering will be alternate, as offered at the end of the meeting). On vote,

Motion carried 7/0.

5. **Two Councilmembers to review and sign bills:** The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to appoint Councilpersons Kamp and Davis to review and sign bills. On vote,

Motion carried 7/0.

Legislative Committee members:

tion was made by Councilperson Goering and seconded by
person Cudaback to appoint Councilpersons Kamp and
to the **Finance & Human Resources Committee**; Williams
main on the Finance Committee. On vote,

Motion carried 7/0.

tion was made by Councilperson Goering and seconded by
person Gamble to nominate Councilpersons Cudaback,
and Davis for the **Transportation & Planning Committee**.

Motion carried 7/0.

tion was made by Councilperson Goering and seconded by
person Gamble to nominate Councilpersons Goering,
d, and Davis to the **Legislative Affairs Committee**. On vote,

Motion carried 7/0.

ade by Councilperson Kamp and seconded by Councilperson
the meeting past 10:00 p.m. On vote,

Motion carried 7/0.

issues, it was agreed that the Legislative Affairs Committee
man Resources Committee would trade meeting dates. The
nittee will meet on the first Tuesday of the month; the
Committee will meet on the third Tuesday of the month.

Monroe Municipal Court Proposal

e an update with the additional information that was
January 8, 2013 Council Meeting.

he motion was made by Councilperson Goering and seconded
Hanford, to authorize the Mayor to sign a letter of intent to
nt agreement with Snohomish County-Evergreen Division

Motion carried 7/0.

REPORTS

ng expressed support for Harano's painting project at the

back noted that the Jayme Biendl run is at the end of the
e to see more Councilmembers participating.

Councilperson Kamp congratulated Harano on good job he has done with his project.

Mayor Zimmerman noted that Councilperson Kamp would meet with Student Representative Harano on a regular basis.

Councilperson Hanford reported that he might not make it back in time for the meeting on January 22nd, due to foster parent training that day.

MAYOR/ADMINISTRATIVE STAFF REPORTS

Finance Director Nelson reported that a police car had been wrecked and needs to be replaced. Since it's not in the 2013 budget, she will have to bring a budget amendment to Council. However, they need to purchase the car now and needs Council's approval to do so.

Council consensus was to add approval of the purchase of a new patrol vehicle to tonight's agenda.

The motion was made by Councilperson Davis and seconded by Councilperson Goering, to approve the purchase of a replacement Police vehicle. On vote,

Motion carried 7/0.

Student Representative Harano stated that he was impressed with the EB-5 program, and posed some questions regarding the program. Mayor Zimmerman responded to each of his points of concern.

City Administrator Brazel stated that he would be out of town on January 22, 2013.

Councilperson Goering offered to act as alternate on the Snohomish County Tomorrow Committee. Council agreed by consensus.

1. Draft Agenda/January 22, 2013

City Administrator Brazel presented the draft agenda for January 22, 2013.

Councilperson Cudaback would like to discuss social media at the February 12, 2013 Council meeting.

Mayor Zimmerman asked that city laptops be used for social media. He would like to direct IT Manager Bremner to transition the Council Chambers laptops to Council use only. After a question from Council Brazel explained we do have a policy in place regarding use of City equipment.

Councilperson Gamble commented that social media is virtual and they

shouldn't need city laptop for that purposed.

It was determined that the matter of the laptops would be discussed further on February 12th during the social media discussion.

1. Executive Session: Pertaining to Collective Bargaining

Mayor Zimmerman stated that there was a need for an executive session pursuant to RCW 42.30.140 to discuss collective bargaining, as read into the record by City Attorney Lell. The executive session is expected to last approximately 15 minutes. Council may take action in open session.

MEETING RECESSED INTO EXECUTIVE SESSION: 10:28 p.m.
MEETING RECONVENED INTO REGULAR SESSION: 10:43 p.m.

No action was taken after the executive session.

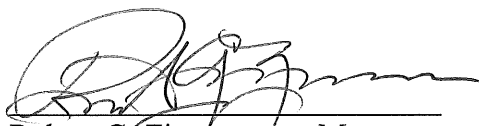
ADJOURNMENT

There being no further business, the motion was made by Goering and seconded by Hanford, to adjourn the meeting. On vote,

Motion carried 7/0.

MEETING ADJOURNED: 10:44 p.m.


Eadye Martinson, Deputy City Clerk


Robert G. Zimmerman, Mayor